

Frequently Asked Questions (FAQs) for Landmarked Properties and Properties in Historic Districts

What is historic preservation?

Historic preservation is the process by which buildings and structures of historic, cultural, architectural, archaeological, or educational significance are preserved through the adoption of design guidelines aimed at protecting structures which would otherwise, if demolished or destroyed, constitute an irreplaceable loss to the quality and character of the City of El Paso.

Why should we preserve historic buildings and structures?

The preservation of historic buildings and structures helps to maintain the character and cultural significance of El Paso and the cultural flavor of our city through the preservation of architecturally significant buildings or structures within a district.

What is a historic district?

A historic district means an area, urban or rural, residential or commercial, defined as a "historic district" by city council, state or federal authority and which contains within definable geographic boundaries one or more landmarks or clusters, including their accessory buildings, fences and other appurtenances, and natural resources having historical, cultural and archaeological significance, and which may have within its boundaries other buildings or structures, that, while not of such historical, cultural, architectural or archaeological significance as to be designated landmarks, nevertheless contribute to the overall visual setting of, or characteristics of, the landmark or landmarks located with the district.

How do I know if my property is located within a historic district?

Historic districts are designated by an "H" overlay on the Official Zoning Map for the City of El Paso. You can verify if your property is located within a district by calling the office and having the staff check.

How many historic districts are there in El Paso?

Currently there are nine (9) locally designated historic districts in El Paso:

- Austin Terrace
- Chihuahuita
- Downtown
- Magoffin
- Manhattan Heights
- Mission Trail
- Old San Francisco
- Sunset Heights
- Ysleta

There are also two districts in El Paso that are on the National Register of Historic Places. They are the Rio Grande National Register district and the Montana Avenue National Register district.

Will local historic designation affect the use of my property?

No, the use of your property is regulated by the city's zoning ordinance. Whatever uses are permitted by the zoning for the property are not affected by district or landmark designation. Designation is concerned with aesthetics, not the uses of the property.

Does being in a historic district or an individual landmark mean I can't make changes to my property?

You can always make changes to your property. As part of a historic district, your property will require review by the HPO (Historic Preservation Office) whenever you want to make changes. Any proposed changes should be in keeping with the character of the building, the property, and the district.

Does historic designation require me to "retrofit" my property to have a more "historic" character?

No, historic designation will not require retrofitting. If a property owner elects to make an addition or a major exterior improvement to his/her property after designation the addition will need architectural review and approval by the Historic Landmark Commission (HLC). Many minor exterior changes can be administratively approved by the HPO and do not require review by the HLC.

Does designation affect changes to the interior of the property?

Unless the property's interior has been designated, no, the HLC and HPO only review exterior modifications. This includes alterations to the property such as landscaping, driveways, windows, roofing, fencing and walkways. The entire property is designated, not just the buildings. However, the majority of minor changes can be approved administratively by the HPO.

What is a historic landmark?

A historic landmark, also referred to as an "H" overlay property, means those buildings, objects, sites or structures of the highest historical, cultural, architectural or archaeological importance and whose demolition or destruction would constitute an irreplaceable loss to the quality and character of El Paso; certain inventoried interior spaces designed or intended to be occupied as part of the structure or which are accessible to the public; such buildings, objects, sites or structures, their appurtenances, and the property where they are located, having been so designated by City Council.

Are applicants required to notify their neighbors of proposed work?

Applicants are not required to provide notice to neighbors although this may be advisable as a courtesy. The HPO (Historic Preservation Office) posts the agenda prior to HLC (Historic Landmark Commission) meetings and can provide copies of the HLC agenda to the neighborhood associations which then distribute the agenda.

What is the Historic Landmark Commission?

The Historic Landmark Commission ("HLC") consists of nine members appointed by the Mayor and the City Representatives who have a particular interest or expertise in the field of Historic Preservation and serve without compensation. The functions of the HLC include reviewing applications for appropriateness and establishing criteria to be used in determining whether certain buildings, interiors, structures, sites, districts, areas, lands and other objects should be designated as historic landmarks. The HLC creates and recommends to City Council for

approval guidelines for designated historic buildings and districts. The HLC may also provide information and counseling to owners of designated historic landmarks; rule on requested exceptions to the guidelines based upon the overall visual effects of the proposed exceptions; conduct surveys and maintain an inventory of historic, architectural, archaeological and cultural landmarks located within the city; approve work completed on a historic property which adheres to the administrative review design guidelines as approved by City Council; and assist the Historic Preservation Office with supporting and promoting the historic preservation program.

What is a Certificate of Appropriateness (“COA”)?

The certificate of appropriateness (COA) is a document rendered by the HLC which is required to be issued prior to the issuance of a building permit granted for the alteration, rehabilitation, construction, reconstruction or demolition of a landmark structure, landmark site or any improvement in a historic district.

What criteria are used in approving work to be done on my property?

The HPO uses the design guidelines adopted by City Council for a particular historic district. When no guidelines have been adopted for a particular district, the guidelines from the district most similar in character, design, materials, workmanship, and time of construction shall apply. When the preceding does not provide guidelines applicable to the project, then the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall apply. If the proposed work does not comply with either the city’s guidelines or the Standards, a review by the HLC may be required.

What type of work can I do on my property?

Interior work is acceptable as long as no structural members affecting the facades are modified. Exterior work that is covered by the guidelines and does not require a structural permit can be approved administratively. Exterior work that is not covered by the guidelines and alters the character, design, composition, form, or appearance of the property requires a COA from the HLC.

How does the HPO conduct its review?

The HPO evaluates the application to determine whether the proposed work is compatible with the character of the historic property and in keeping with the guidelines. The staff contacts the applicant to address questions and discuss modifications, if any, that are recommended to the proposed scope of work. The staff may also consult with other interested parties. The staff attempts to resolve any outstanding issues in consultation with the applicant so that projects can be approved administratively or recommended for approval by the HLC. Once the staff has completed its review, either the project is approved administratively or it must be reviewed by the HLC. If HLC review is required, staff prepares a written report for HLC either recommending approval, approval with modifications, or denial.

If a proposal is modified, is a new application required?

No. If the HPO staff and applicant agree on changes to an application, these changes can generally be incorporated into the application without re-filing for review.

What do I need to submit for a COA?

When applying for a building permit for work on a historic landmark or on a property within a historic district, the applicant shall submit an application for a COA signed by the property owner,

copies of proof of ownership along with all detailed plans, elevations, perspectives, specifications, and other documents pertaining to the work to the HPO.

What other type of documentation is needed?

The applicant is required to submit current photographs of the subject property, a generalized site plan, and detailed site plan depending on whether the property is vacant or there are existing structures. Existing and proposed elevations of the facades are also required.

What is the process for obtaining a COA?

A pre-application conference is encouraged for applicants seeking a COA from the HLC. At this meeting, the applicant is informed of the requirements needed to complete the application, the proposed timeline, and the application is logged in after all documentation has been submitted and the application is complete. Applications for COAs along with all supporting documentation are due at the deadline which is two weeks prior to the HLC meeting. The regular scheduled meetings of the HLC take place every other Monday of the month. The HPO conducts site visits for cases placed on the agenda and makes a recommendation based on the design standards for each particular district. At the HLC meeting, the case is presented by the HPO and discussion is held by the HLC, along with public comment, and action is rendered based on the design guidelines for each district and the staff recommendation. Based on the action by HLC, a COA is rendered or, if denied, an applicant may appeal to City Council.

What role do community organizations play?

The HPO staff is available to review applications with any community group or interested party prior to HLC meetings. Some community organizations conduct this review on a regular basis. Community representatives and interested parties may also participate in HLC meetings.

How long does this process take?

The timeline for a COA is approximately one (1) month, pending any postponement or delayed action by the HLC. All meeting notices are posted and open to the public. Applicants or their representative(s) are strongly encouraged to appear before HLC to address any questions relevant to the proposed work.

What about minor work and routine maintenance?

Administrative review will be conducted according to the Administrative Review Guidelines or historic district guidelines approved by City Council and administered by the HPO for the following types of work:

- Landscape materials including vegetation, irrigation, and xeriscaping, in the front, rear, side yards, and parkways;
- New fencing on the front, rear and side yards;
- Wrought iron security coverings for windows and doors;
- Skylights;
- Off-premise and on-premise commercial and residential signs within historic districts;
- Replacement of garage or household exterior doors that match the original doors;
- Walkways, driveways, and aprons;
- Swimming pools in the rear yard;
- Routine maintenance, including but not be limited to: painting, re-roofing, repair of walks, driveways, fences, and installation of windows.

Administrative review can be done in-house at 801 Texas Avenue during regular working hours which are Monday through Thursday, 7:00 AM to 6:00 PM. City offices are closed on Fridays. If

an applicant does not agree with the staff's administrative review, he/she may appeal to the HLC by being placed on the regular agenda for the next HLC meeting.

What if I do not agree with the HLC action?

Any applicant or the owner of any property located within three hundred feet of any landmark, or the owner of any property within the same historic district as the subject of the appeal, who is aggrieved by a ruling of the HLC concerning that property, may, within fifteen days after the ruling of the HLC, appeal to the city council by filing written notice of such appeal with the City Clerk and paying the fee. Following a public hearing after the filing of such notice of appeal, the City Council may, by a simple majority vote, uphold or overturn any ruling of the HLC. The ruling of the City Council is final.

What is the standard by which applications are evaluated?

Proposals are evaluated based on their compliance with the guidelines and/or the Secretary of the Interior's Standards for Rehabilitation. These purposes are to retain and enhance historic properties, to encourage their adaptation for current use, and to ensure that changes to designated properties are compatible with their historic character.

Will my taxes increase?

No, historic designation alone does not increase taxes. Property taxes are based upon the assessed valuation (property value) of the land plus the improvements on the land. Historic designation may add to the desirability of a neighborhood, resulting in increased real estate market activity, which could be reflected in higher assessed valuations by the property appraiser. The HPO offers tax incentives for contributing properties within historic districts that undergo a substantial rehabilitation.

What are the Secretary of the Interior's Standards for Rehabilitation?

Rehabilitation is the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those features that convey its historical, cultural or architectural values.

The Standards apply to historic buildings of all materials, types, and sizes. They apply to both the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent or related new construction.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials.

Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.